GOVERNMENT OF ANDHRA PRADESH
ABSTRACT

MINES & MINERALS - Mining Lease for Limestone over an extent of 613.476 Hectares in various Survey Numbers of Tangeda Village, Dachepalli Mandal, Vemavaram & Chennayapalem Villages, Machavaram Mandal of Guntur District held by M/s Saraswathi Power and Industries (P) Limited - Extension of Mining Lease upto 10-08-2059 i.e upto 50 years under Section 8 A(3) of MM(D&R) Amendment Act, 2015 - Orders - Issued.

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INDUSTRIES & COMMERCE (M.III) DEPARTMENT

G.O.MS.No. 30 Dated: 08-06-2020

Read the following:-

1. GO Ms.No.107, Ind & Com (M.II) Dept. dt. 18.05.2009.
2. G.O.Ms.No.129, Ind.&Com. (M.II) Dept., dt. 06.06.2009.
3. G.O.Ms.No.98, Industries & Commerce (M.II) Department, dt.09.10.2014.
4. G.O.Ms.No.109, Ind.& Com(M.III) Dept., dt. 12.12.2019.
5. From the Director of Mines & Geology, Govt., of A.P., Vijayawada., Lr. No. 14152/D7-1/2014, Dt. 17.04.2020.
6. G.O.Ms.No.28, Ind.& Com(M.III) Dept., dt. 26.05.2020.
7. From the Director of Mines & Geology, Govt., of A.P., Vijayawada.,Single efile INC04-13/1/2020-D-7,dated:01.06.2020.

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O R D E R :

In the G.O.1st read above, the Government have granted Mining Lease for Limestone over an extent of 266.120 Hectares in Sy.Nos. 1 to 15, 27,28, 30 to 34,37,148 to 152, 158, 160 to 190, 196 to 217,220,228, 335 to 343, 348 to 359, 367 to 368 of Tangeda Village, Dachepalli Mandal and over an extent of 145.260 Hectares in S.Nos. 405 to 465, 689 to 692, 694 to 698, 700 to 703 of Vemavaram village, Machavaram Mandal and over an extent of 202.330 Hectares in Sy.Nos.1 to 38, 43,44,58 of Chennayapalem Village, Machavaram Mandal, Guntur District, [Total extent of 613.70 Hectares] for a period of 30 years, in favour of M/s. Saraswathi Power & Industries (P) Ltd,.

2. In the G.O.2nd read above, the Government have issued partial modification orders as per the recommedations of the Director of Mines and Geology keeping in view of the IBM approved mining plan an extent of 613.476 Hectares instead of 613.70 Hectares, while taking into consideration of 2.471 Acres per Hectare.

3. In the G.O.3rd read above, the Government have issued orders declaring the subject Mining Lease held by M/s. Saraswathi Power and Industries (P) Ltd., as lapsed under the provisions laid down under Rule 28(1) of Mineral Concession Rules, 1960, with effect from 20.08.2011 for the reasons mentioned therein.

4. In the G.O.4th read above, the Government have issued orders for restoration of subject mining lease in favour of M/s. Saraswathi Power and Industries (P) Ltd., keeping in view the orders dt; 15.10.2019 of the Hon'ble High Court of A.P. passed in Writ Petition No.33420/2014.

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5. In the letter 5th read above, the Director of Mines & Geology has, requested the Government to issue Errata to G.O.Ms.No.107, dt.18.07.2009 (Initial Mining Lease grant order issued for a period of 30 years over an extent of 613.70 Hect.), G.O.Ms.No.129, dt.06.06.2009 (Partial modification orders issued reducing the total extent as 613.476 Hect. duly taking into consideration 2.471 acres as Hectare in view of IBM approved Mining Plan) and G.O.Ms.No.109, dt.12.12.2019 (Restoration of Mining Lease as per the orders of the Hon'ble High Court over an extent of 613.476 Hect.) duly replacing the words "over an extent 145.208 Hectares" with "over an extent of 202.254 Hectares in Chennayapalem Village" and "over an extent of 202.254 Hectares" with "over an extent of 145.208 Hectares in Vemavaram Village". Accordingly, an Errata has been issued vide G.O 6th read above.

6. Through the efile 7th read above, the DM&G A.P., has reported that the entire issue of misrepresentation of the extents is being revolved around Channayapalem and Vemavaram Villages, Lr.No. 55/2008/A, dt: 18.03.2008 of the Tahsildar, Machavaram and Lr.No. 1125/M/Dach/2008, dt: 19.04.2008 of the Zonal Joint Director of Mines & Geology, Ongole, which are the base documents for grant proposal and the grant. Whereas, an extent of 145.205 Ha was mentioned against Vemavaram Village and Vice-versa in case of Chennayapalem Village in the initial grant order i.e., G.O.Ms.No. 107, dt: 18.05.2009. The same mistake was inadvertently carried in subsequent G.Os till G.O.Ms.No. 28, dt: 26.05.2020 also because of the diversified arrangement of the villages in the said G.Os from their original sequence in the reports of Tahsildar as well as the ZJDM&G, Ongole. However, the total extent covered under the lease was never changed and remained as 613.476 Ha.

7. The DM&G, A.P., has, therefore, requested the Government to suppress G.O.Ms.No. 28, dt: 26.05.2020 and to issue orders extending the period of the Mining Lease for Limestone in a total extent of 613.476 Hectares i.e., an extent of 266.014 Hectares in Sy.Nos.1 to 15, 27, 28, 30 to 34, 37, 148 to 152, 158, 160 to 190, 196 to 217, 220, 228, 335 to 343, 348 to 359, 367 to 368 of Tangeda Village, Dachepalli Mandal and an extent of 145.208 Hectares in Sy.Nos.1 to 38, 43, 44, 58 of Chennayapalem Village, Machavaram Mandal and an extent of 202.254 Hectares in Sy.No.405 to 465, 689 to 692, 694 to 698, 700 to 703 of Vemavaram Village, Machavaram Mandal Guntur District held by M/s Saraswathi Power & Industries Pvt Ltd., up to 19.08.2059 i.e., 50 years from 20.08.2009 in terms of Section 8-A(3) MM(D&R) Amendment Act, 2015.

8. After careful examination of the entire matter, Government, in due suppression of the orders issued vide G.O 6th read above, hereby extend the period of the Mining Lease for Limestone in a total extent of 613.476 Hectares i.e., an extent of 266.014 Hectares in Sy.Nos.1 to 15, 27, 28, 30 to 34, 37, 148 to 152, 158, 160 to 190, 196 to 217, 220, 228, 335 to 343, 348 to 359, 367 to 368 of Tangeda Village, Dachepalli Mandal and an extent of 145.208 Hectares in Sy.Nos.1 to 38, 43, 44, 58 of Chennayapalem Village, Machavaram Mandal and an extent of 202.254 Hectares in Sy.No.405 to 465, 689 to 692, 694 to 698, 700 to 703 of Vemavaram Village, Machavaram Mandal Guntur District held by M/s Saraswathi Power & Industries Pvt Ltd., up to 19.08.2059 i.e., 50 years from 20.08.2009 as required under Section 8-A(3) MM(D&R) Amendment Act, 2015, subject to satisfaction of all other terms and conditions laid down under the MM(D&R) Amendment Act, 2015 and the Rules made there under and subject to the satisfaction of standing instructions and guidelines issued by the GoI and State Government from time to time.

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9. The Director of Mines & Geology, Government of Andhra Pradesh, Vijayawada shall take necessary action accordingly in the matter.

(BY ORDER AND IN THE NAME OF THE GOVERNOR OF ANDHRA PRADESH)

GOPAL KRISHNA DWIVEDI
PRINCIPAL SECRETARY TO GOVERNMENT

To
The Director of Mines & Geology, Government of Andhra Pradesh,
Ibrahimpatnam,Vijayawada.
M/s Saraswathi Power and Industries Pvt Ltd,
Plot No.268/S/98, Sagar Society, Road No, 2,
Banjarahills, Hyderabad -34 (BY RPAD).
Copy to:
The Zonal Joint Director of Mines & Geology, Ongole, Prakasam District.
The Assistant Director of Mines & Geology, Dachepalli, Guntur District.
The District Collector, Guntur district.
The Secretary to Govt. of India, Ministry of Mines, Sastry Bhavan,
New Delhi-110001.
The Controller General, Indian Bureau of Mines, Indira Bavan,
Civil Lines, Nagpur - 440001.
The Director General, Mines Safety, Dhanbad, Jarkand.
The Regional Controller of Mines, Koti, Hyderabad.
SF//SCs (C.No.INC04-13/1/2020-D-7 (Computer No.1153686)

//FORWARDED :: BY ORDER//

SECTION OFFICER